

PLANNING AND ZONING COMMISSION
Wednesday October 24, 2007 – MINUTES – Special Meeting

Call to Order: Time In: 6:05 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a special meeting and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Ms. Solomon, and Mr. Wynkoop. Mr. Graber made a motion to excuse Mr. Harper, Mr. McCoy and Mr. Vasko. Mr. Wynkoop seconded the motion. The motion passed unanimously.

Old Business

The Planning and Zoning Commission held this special meeting to consider Conditional Use #CU-07-02 for a Burger King drive thru on Gender Road. This application was originally denied by the Commission and appealed to Village Council. That appeal was then remanded back to the Planning and Zoning Commission by Village Council for consideration of additional material provided by the applicant at Village Council's public hearing and for the Commission to prepare written findings and conclusions.

Mr. Graber made a motion to go into executive session to discuss legal matters. Mr. Wynkoop seconded the motion. The motion passed unanimously. The Commission went into executive session at 6:06 p.m. Joining the Commission in executive were Gene Hollins, Village Solicitor, and Chris Strayer, Development Director.

Joe Miller, of Vorys, Sater, Seymour and Pease, representing Burger King, stated his objections to Mr. Christiansen participation in the executive session based on his participation in discussion concerning approval of the Conditional use at a previous Council meeting. Mr. Miller also objected to Canal Winchester Development Director Chris Strayer's presence in the executive session.

The Commission returned from executive session at 6:38 p.m. Mr. Wynkoop made a motion to adopt the Findings of Facts and Conclusions of Law dated October 23, 2007 and deny Conditional Use Application #CU-07-02. Mr. Graber seconded the motion. The motion passed unanimously.

Adjournment

Mr. Wynkoop made a motion to adjourn this special meeting of the Planning and Zoning Commission. Mr. Graber seconded the motion. The motion passed unanimously.

Time Out: 6:39 p.m.

Date _____

Bill Christensen, Chairman

James Wynkoop, Acting Secretary